1 2 3 4 5 6 7	JEFFER MANGELS BUTLER & MITCHELL I MICHAEL J. HASSEN (Bar No. 124823) AN NGUYEN RUDA (Bar No. 215453) PATRICIA M. DESANTIS (Bar No. 264655) 1900 Avenue of the Stars, Seventh Floor Los Angeles, California 90067-4308 Telephone: (310) 203-8080 Facsimile: (310) 203-0567 Email: mjh@jmbm.com ahn@jmbm.com pmd@jmbm.com	
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10	UNITED STATES DIS	TRICT COURT
11	NORTHERN DISTRICT	OF CALIFORNIA
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13	JOSE RAMIREZ, LUIS GOMEZ, and MARCK MENA ORTEGA on behalf of	CASE NO. 3:12-cv-04590-CRB
14	themselves and all other persons similarly situated,	STIPULATION AND ORDER SHORTENING TIME ON DEFENDANT'S
15	Plaintiffs,	MOTION TO CORRECT OR IN THE ALTERNATIVE TO GRANT RELIEF
16	v.	FROM ORDER GRANTING MOTION FOR FINAL APPROVAL, ATTORNEY'S FEES
17 18	GHILOTTI BROS, INC., a corporation; and DOES 1 through 50, inclusive,	AND COSTS AND CLASS REPRESENTATIVE INCENTIVE AWARDS AND FINAL JUDGMENT
19	Defendants.	AND FINAL JUDGMENT
20	Defendants.	
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LA 10643941v1 [1164550-1]

STIPULATION TO SHORTEN TIME

WHEREAS on April 21, 2014 the Court issued its Order Granting Motion for Final
Approval, Attorneys' Fees and Costs and Class Representative Incentive Awards (the "Final
Approval Order") (Docket 125);
WHEREAS the Final Approval Order stated in relevant part:
11. Within 5 calendar days of the date of this Order, GBI is directed to
pay \$118,500.00, directly as follows, and to issue 1099s for each of the following recipients upon receipt of a W9:
<ul><li>a. \$15,000 to each of the Class Representatives;</li><li>b. \$10,000 to Simpluris, the Settlement Administrator;</li></ul>
c. \$60,000 to Class Counsel for out-of-pocket expenses; and d. \$3,500 to the California Labor and Workforce Development Agency
as a PAGA penalty.
12. Within 30 calendar days of the date of this Order, GBI is directed to
pay \$140,000.00 to Simpluris for distribution to the Class, and one- third of the amount awarded in attorneys' fees (\$95,000) to Class
Counsel ("Initial Disbursement")
(Final Approval Order at 4:20-5:2);
WHEREAS pursuant to the Final Approval Order, the first payment must be made by April
26, 2014;
WHEREAS Plaintiffs Jose Ramirez, Luis Gomez and Marck Mena Ortega on behalf of
themselves and all other persons similarly situated and Defendant Ghilotti Bros, Inc. (collectively
the "Parties") entered into the Stipulation to Class Action Settlement ("Settlement Agreement") in
September 2013 (see Docket 110 at Ex. A);
WHEREAS a dispute has arisen regarding the Settlement Agreement's schedule for
settlement payments in light of pleadings filed by the Excluded Supervisors who Defendant contends
filed Objections to the Final Settlement (e.g., Docket 106 and 123);
WHEREAS Defendant plans to file its Motion to Correct or in the Alternative to Grant Relief
from the Court's Order Granting Motion for Final Approval, Attorneys' Fees and Costs and Class
Representative Incentive Awards and Final Judgment ("Motion to Correct") on April 24, 2014,
which under the Northern District of California Local Rules would result in a hearing date of May
29, 2014;

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1	WHEREAS Defendant contends that the Motion to Correct requires the Court's immediate	
2	attention because the payment schedule in dispute requires payments be made prior to the time for a	
3	hearing on a regularly noticed motion, and Defendant contends that it may be prejudiced by being	
4	ordered to make these payments prior to the Court's ruling on the Motion to Correct;	
5	NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the	
6	Parties to the above-captioned action, through their respective counsel, as follows:	
7	1. If Defendant's Motion to Correct is filed on April 24, 2014, a hearing may be held on May	
8	6, 2014 if the Court so orders.	
9	2. If the Court orders a hearing date of May 6, 2014, Plaintiffs' opposition would be due on	
10	April 29, 2014.	
11	3. If the Court orders a hearing date of May 6, 2014, Defendant's reply would be due on May	
12	1, 2014.	
13	IT IS SO STIPULATED AND AGREED BY THE PARTIES.	
14	DATED: April 24, 2014	ROSEN BIEN GALVAN & GRUNFELD LLP GAY CROSTHWAIT GRUNFELD
15		KATHRYN G. MANTOAN BLAKE THOMPSON
16		VAN SWEARINGEN JENNY S. YELIN
17		STEWART & MUSELL, LLP
18		WENDY E. MUSELL ELISA J. STEWART
19		LLISTY. STEWART
20		By: <u>/s/</u>
21		GAY CROSTHWAIT GRUNFELD Attorneys for Plaintiffs JOSE RAMIREZ, LUIS
22		GOMEZ, and MARCK MENA ORTEGA and the Plaintiff Class
23	D. 1777	
24	DATED: April 24, 2014	JEFFER, MANGELS, BUTLER & MITCHELL LLP
25		MICHAEL J. HASSEN AN NGUYEN RUDA
26		PATRICIA M. DESANTIS
27		By: /s/ AN NGUYEN RUDA
28 PRINTED ON		Attorneys for Defendant GHILOTTI BROS., INC.
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LA 10643941v1 [1164550-1]		SHORTEN TIME

## **ORDER**

The Court, having reviewed the above Stipulation of the Parties, and good cause appearing, hereby orders as follows:

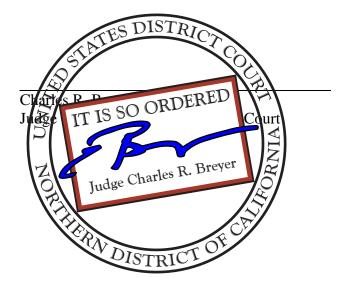
1. If Defendant's Motion to Correct or in the Alternative to Grant Relief from the Court's Order Granting Motion for Final Approval, Attorneys; Fees and Costs and Class Representative Incentive Awards and Final Judgment ("Motion to Correct") is filed on April 24, 2014, a hearing on the motion will be held on May 6, 2014 at 3:00p.m..

2. If the Motion to Correct is filed on April 24, 2014, Plaintiffs' opposition is due on April 29, 2014.

3. If the Motion to Correct is filed on April 24, 2014, Defendant's reply is due on May 1, 2014.

IT IS SO ORDERED.

DATED: April 28, 2014



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